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TO: David B. Peden, Director
Environmental Health Division

FROM: John H. Bindeman,
Supervising Sanitarian

SUBJECT: Status of legal administrative action
against landfill operators in Montgom-
ery County.

South Dayton Dump & Landfill
1975 Springboro Pike
Moraine, Ohio 45439

Owner: Alcine Grillet

February 6, 1970 - Affidavit filed by Mr. Bindeman for operating a
landfill without a state permit. Trial was held in
Judge Berger's Court. No decision was reached by
the judge.

End of report

Not Filed 9/23

STATE AFFIDAVIT

STATE OF OHIO.

Montgomery

County.

ss

County Court,

Area—District,

Ohio

Montgomery County, Ohio

Before me, Dorothy Honce, Notary Public in and for ~~Judge + Clerk of said County Court~~
personally came John H. Bindeman, Supervising Sanitarian, Montgomery Co. Health Dept.
who being duly sworn according to law, deposes and says that on or about the 17th
day of September, A. D. 1969, at the County of Montgomery

aforsaid, one Alcine Grillot did burn lumber, tree trimmings, paper, and cloth on
the South Dayton Dump and Landfill at 1975 Springboro Road, City of Moraine without
receiving the required permission from the Ohio Director of Health and the Montgomery
County ~~Health Officer~~ ^{Board of Health}. This burning was conducted in direct violation of an official
order of the Montgomery County Department of Health, Section 3734.03 of the Ohio
Revised Code, and Regulation HE-24-06 of the Ohio Sanitary Code.

STATE WARRANT

THE STATE OF OHIO

County,

ss.

To the Sheriff—Constable of _____, GREETING:

Whereas, there has been filed before me an affidavit, the original of which is herewith attached and by
reference made a part of this warrant.

These are, therefore, to command you to take the said _____
if _____ be found in your County, or if _____
shall have fled, that you pursue after _____ into any other County within this State and _____
take and safely keep, so that you have _____ body forthwith before me, or some other Magistrate having
competent jurisdiction, to answer said complaint, and be further dealt with according to law.

Witness my signature and the seal of said Court, this _____ day
of _____ A. D. 19_____.

Judge—Clerk, County Court

RETURN

THE STATE OF OHIO

Montgomery County
City of Kettering

SS.

IN THE KETTERING MUNICIPAL COURT

Before me, Virginia Hahn, a Deputy Clerk of the Kettering Municipal Court, in the County of Montgomery and State of Ohio, aforesaid, personally came John H. Bindeman II who being duly sworn according to law, deposes and says that on or about the 6th day of February A. D., 1970, ~~at Kettering~~ at Moraine in the City of ~~Kettering~~ and in the County of Montgomery and in the State of Ohio, did one Alcino Grillot **DEA South Dayton Dump & Landfill** operate or maintain a solid waste disposal site at 1975 Springboro Road without a license issued by the Montgomery County Board of Health.

Contrary to Section 3734.05(A) of the Ohio Revised Code and against the Peace and Dignity of the State of Ohio; and that said Alcino Grillot is guilty of the facts charged.

Sworn to and subscribed before me by the said

John H. Bindeman II in the City of Kettering and County of Montgomery and State of Ohio, this 9th day of February, A. D., 1970.

John H. Bindeman II

~~XXXXXXXXXXXX~~
Clerk of the Kettering Municipal Court

By Virginia Hahn

VIRGINIA HAHN, Notary Public
in and for Montgomery County, Ohio
My Commission Expires 12-18-72
Deputy

Feb 70 JHB
discussed this matter w Paul winter holder
thinks we have a case but wants to check
w Pat McHugh. Either he or Pat will call
to come to discuss this matter